

CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD
SAN FRANCISCO BAY REGION

ORDER NO. 80-39

ORDER REQUIRING THE LAS GALLINAS VALLEY SANITARY
DISTRICT TO CEASE AND DESIST FROM DISCHARGING WASTE
CONTRARY TO REQUIREMENTS PRESCRIBED IN ORDER NO. 80-22
AN NPDES PERMIT

The California Regional Water Quality Control Board, San Francisco Bay Region,
(hereinafter Board) finds that:

- A. On April 15, 1980, this Board adopted Order No. 80-22, an NPDES (National Pollutant Discharge Elimination System) Permit prescribing discharge requirements covering the discharge of waste and pollutants by the Las Gallinas Valley Sanitary District (hereinafter discharger). This NPDES Permit reissuance generally continued the requirements and time schedules contained in the previous permit adopted by the Board in Order No. 74-97.
- B. The waste discharge requirements of Order No. 80-22 provide, in part, as follows:

"A. Prohibitions

1. The discharge of wastewater to waters of the State is prohibited from May 1 through September 30 during a year of average net evapotranspiration. The Executive Officer may authorize an extended period of discharge based on a demonstration that evapotranspiration is less than normal, but in no case shall discharge to waters of the State take place between June 1 and September 1.
2. There shall be no bypass or overflow of untreated wastewater to waters of the State, either at the treatment plant or from the collection system.

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B. Final Effluent Limitations

1. The waste as discharged to waters of the State shall meet the following limitations:

<u>Constituents</u>	<u>Units</u>	<u>Maximum Daily</u>	<u>30-day Average</u>	<u>Annual Average (1)</u>
a. BOD	mg/l	30	20	
	lbs/day	1390	924	
	kg/day	630	419	
b. Suspended Solids	mg/l	20	15	
	lbs/day	924	695	
	kg/day	419	315	

<u>Constituents</u>	<u>Units</u>	<u>Maximum Daily</u>	<u>30-day Average</u>	<u>Annual Average (1)</u>
c. Grease & Oil	mg/l	15	5	
	lbs/day	696	232	
	kg/day	315	105	
d. Total Ammonia ⁽²⁾	mg/l		6.0	4.5
as N	lbs/day		505	221
	kg/day		229	100
e. Settleable Solids ⁽²⁾	ml/l-hr		0.1	

f. Total Coliform:

At some point in the treatment process the waste shall not exceed a median most probable number (MPN) of coliform organisms of 2.2 per 100 milliliters as determined from the results of the previous consecutive 7 days for which analyses have been completed. Any single sample shall not exceed 10,000 MPN/100 ml when verified by a repeat sample taken within 48 hours.

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h. The pH shall not exceed 8.5 nor be less than 6.5.

i. TOXICITY:

The survival of test organisms acceptable to this Board in 96-hour bioassays of the effluent shall achieve a median of 90% survival for three consecutive samples and a 90 percentile value of not less than 70% survival for 10 consecutive samples.

j. The arithmetic mean of the biochemical oxygen demand (5 day, 20°C) and suspended solids values, by weight, for effluent samples collected in a period of 30 consecutive calendar days shall not exceed 15 percent of the arithmetic mean of the respective values, by weight, for influent samples collected at approximately the same times during the same period (85 percent removal).

(1) Annual average shall be calculated as the average of 30-day averages for the months during which discharge is made to waters of the State.

(2) For effluent diverted to the wildlife pond, compliance may be demonstrated for flows either entering or leaving the ponds.

2. During wet weather, for days when flow exceeds twice the average dry weather flow, the limitations in Effluent Limitation B.1 will be revised as follows:

<u>Constituents</u>	<u>Units</u>	<u>30-Day Average</u>	<u>Maximum Daily</u>
a. BOD	mg/l	30	60
	lbs/day	2527	8607
	kg/day	1146	3905
b. Suspended Solids	mg/l	30	60
	lbs/day	2527	8607
	kg/day	1146	3905
c. Grease & Oil	mg/l	10	20
	lbs/day	842	2869
	kg/day	381	1301

d. Total Coliform:

At some point in the treatment process, the total coliform bacteria for a median of 5 consecutive samples of waste shall not exceed 240 MPN/100 ml when verified by a repeat sample taken within 48 hours.

The 30-day average limits for BOD, suspended solids and grease and oil shall be calculated as the weighted averages of the 30-day limitations applicable to each day's flows in any given month as contained in B.1. and B.2. of this Order.

3. Representative samples of the effluent shall not exceed the following limits more than the percentage of time indicated: (a)

<u>Constituent</u>	<u>Unit of Measurement</u>	<u>50% of time</u>	<u>10% of time</u>
Arsenic	mg/l (kg/day)	0.01 (0.11)	0.02 (0.21)
Cadmium	mg/l (kg/day)	0.02 (0.21)	0.03 (0.32)
Total Chromium	mg/l (kg/day)	0.005 (0.05)	0.01 (0.11)
Copper	mg/l (kg/day)	0.2 (2.10)	0.3 (3.16)
Lead	mg/l (kg/day)	0.1 (1.05)	0.2 (2.10)
Mercury	mg/l (kg/day)	0.001 (0.01)	0.002 (0.02)
Nickel	mg/l (kg/day)	0.1 (1.05)	0.2 (2.10)
Silver	mg/l (kg/day)	0.02 (0.21)	0.04 (0.42)
Zinc	mg/l (kg/day)	0.3 (3.16)	0.5 (5.26)
Cyanide	mg/l (kg/day)	0.1 (1.05)	0.2 (2.10)
Phenolic Compounds	mg/l (kg/day)	0.5 (5.26)	1.0 (10.52)
Total Identifiable Chlorinated Hydrocarbons	mg/l (kg/day) (b)	0.002 (0.02)	1.0 (10.52)

(a) These limits are intended to be achieved through secondary treatment, source control and application of pretreatment standards.

(b) Total Identifiable Chlorinated Hydrocarbons shall be measured by summing the individual concentrations of DDT, DDD, DDE, aldrin, BHC, chlordane, endrin, heptachlor, lindane, dieldrin, polychlorinated biphenyls, and other identifiable chlorinated hydrocarbons.

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D. Receiving Water Limitations

1. The discharge of waste shall not cause the following conditions to exist in waters of the State at any place:
 - a. Floating, suspended, or deposited macroscopic particulate matter or foam;
 - ...
 - d. Visible, floating, suspended, or deposited oil or other products of petroleum origin;
 - e. Toxic or other deleterious substances to be present in concentrations or quantities which will cause deleterious effects on aquatic biota, wildlife, or waterfowl, or which render any of these unfit for human consumption either at levels created in the receiving waters or as a result of biological concentration.
2. The discharge of waste shall not cause the following limits to be exceeded in waters of the State in any place within one foot of the water surface:
 - a. Dissolved oxygen 5.0 mg/l minimum. Annual median - 80% saturation. When natural factors cause lesser concentration(s) than those specified above, then this discharge shall not cause further reduction in the concentration of dissolved oxygen.
 - b. Dissolved sulfide 0.1 mg/l maximum.

E. Provisions

1. The discharger shall comply with the following time schedule to achieve compliance with Prohibitions A.1 and A.2; Final Effluent Limitations B.1 a thru f, B.1.h thru j, B.2 and B.3; and Receiving Water Limitations D.1.a, D.1.d, D.1.e, and D.2:

<u>Task</u>	<u>Completion Date</u>
a. Submit financial plan to assure that local share of construction funds will be available by November 7, 1980	by June 1, 1980
b. Obtain construction funding	by November 7, 1980
c. Submit completed plans and specifications of all facilities necessary to achieve compliance to SWRCB for approval	by September 30, 1980
d. Advertise for construction bids	by February 1, 1981

- e. Award construction contract by June 1, 1981
 - f. Begin construction by July 1, 1981
 - g. Complete construction by May 1, 1983
 - h. Full compliance by July 1, 1983"
- C. Reports from the discharger and the Board staff inspections indicate that the discharger is in violation of or is threatening to violate the requirements listed in Finding B of this Order.
 - D. By letter dated June 18, 1980, the Regional Board notified the discharger of the violation of requirements and requested immediate action to eliminate such violation.
 - E. Starting at 10:00 a.m. on July 23, 1980, in the San Rafael City Council Chambers, after due notice to the discharger and other affected persons, a hearing panel of the Board conducted a public hearing at which the discharger appeared and evidence was received concerning the discharge.
 - F. Upon the basis of evidence received, the hearing panel recommended that the Board issue a Cease and Desist Order against the discharger requiring that it comply with Order No. 80-22 in accord with a time schedule. The hearing panel further recommended that the Board prohibit additional discharges to the sewer system. The Board has independently reviewed the record of the hearing.
 - G. The discharger is violating or threatening to violate the waste discharge requirements listed in Finding B of this Order.
 - H. Further addition in the volume, type, or concentration of waste entering the sewer system will increase the violations or the likelihood of violation of waste discharge requirements and will further unreasonably impair water quality.
 - I. The Board finds that this action is an order to enforce waste discharge requirements previously adopted by the Board. This action is therefore categorically exempt from the provisions of the California Environmental Quality Act (CEQA) pursuant to Section 15121 of the Resources Agency Guidelines.

IT IS HEREBY ORDERED THAT:

- A. The discharger cease and desist from discharging wastes contrary to waste discharge requirements listed in Finding B of this Order.
- B. The discharger shall comply with prohibitions A.1. and A.2; Final Effluent Limitation B.1.a., B.1.b., B.1.c., B.1.d., B.1.e., B.1.f., B.1.h., B.1.i., B.1.j., B.2. and B.3; and Receiving Water Limitations D.1.a., D.1.d., D.1.e., and D.2. of the Board's Order No. 80-22 in accord with the following time schedule:

<u>Task</u>	<u>Completion Date</u>
1. Submit financial plan to assure that local share of funds for construction of facilities described in Task 2 above will be available by November 7, 1980	August 15, 1980
2. Submit a commitment to construct the cost effective facilities described in the Eastern Marin-Southern Sonoma Final Facilities Plan and Final EIS/EIR in accord with the time schedule of this Order or commitment to construct an alternative facility that will fully comply with requirements in accordance with the time schedule set out in this Order.	September 22, 1980
3. Submit complete Step 3 grant application for all facilities necessary to achieve compliance to SWRCB for approval	April 1, 1981
4. Advertise for construction bids	July 1, 1981
5. Award construction contract	October 1, 1981
6. Begin construction	November 1, 1981
7. Complete construction	May 1, 1983
8. Full compliance	July 1, 1983
C. If clean water grant funds are not available for construction of the necessary facilities in accord with compliance schedule in B. above, a hearing will be scheduled for the Board's consideration of revising the compliance schedule.	
D. Additional discharges to the sewer system by dischargers who did not discharge into the system prior to August 5, 1980, are prohibited; provided the following are excluded from this provision: (a) projects for which sewer connection permits, sewer allocations, or building permits were issued before August 5, 1980, and structures where construction has commenced and a building permit is not required for such structures, (b) projects which would eliminate discharges from existing dwellings which have waste disposal systems causing more severe water quality problems than those caused by the community sewer system, or (c) projects which would alleviate an extreme public hardship or a public health problem. Exclusions pursuant to (b) and (c) shall be obtained by application to and approval of the Executive Officer.	

- E. This Board will consider the partial removal of the prohibition of additional discharges and the allowance of a specified number and type of additional discharges to the sewer system by dischargers who did not discharge waste into the system before August 5, 1980, when the discharger demonstrates to the Board that they have achieved and completed any of the tasks specified in B. above.

The discharger should submit to the Board adequate documentation of completion of any one of these tasks at least 30 days prior to the Board meeting of which they are requesting consideration for partial or complete removal of the prohibition. If the Board determines that the District has achieved and completed any one of these tasks and that compliance with other limitations and time schedules has not deteriorated, the Board will partially remove said prohibition and will allow the District additional discharges sufficient to serve those proposed projects for which the District has received and processed all documents required by the District for issuance of a sewer connection permit.

The Board will consider adding significant tasks not specified above as they become apparent, which represent a measure of substantial progress by the District as additional basis for the partial removal of this prohibition and allowance of additional discharges to the sewer system. Further, the Board may consider the complete removal of this prohibition upon the effective implementation of Tasks 1-5 above, and a demonstration of substantial progress toward compliance with this Order.

- F. The discharger is required to submit to the Board by the fifteenth of every month, beginning September 15, 1980, a report, under penalty of perjury, on its progress toward compliance with this Order.
- G. If the Executive Officer finds that the discharger has failed to comply with the provisions of this Order, he is authorized, after approval of the Board Chairman, to request the Attorney General to take the appropriate enforcement action against the discharger, including injunction and civil monetary remedies, if appropriate.

If the Executive Officer determines that the provisions of this Order are violated and does not refer the matter to the Attorney General, he is instructed to report to the Board the reasons that the discharger has been unable to comply with the provisions of this Order.

I, Fred H. Dierker, Executive Officer, do hereby certify the foregoing is a full, true, and correct copy of an Order adopted by the California Regional Water Quality Control Board, San Francisco Bay Region, on August 5, 1980.

FRED H. DIERKER
Executive Officer